

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed August 26, 2005. In order to advance prosecution of this case, Applicant amends Claims 1 and 2. Applicant respectfully requests reconsideration and favorable action in this case.

Allowed Claims

Applicant notes with appreciation the Examiner's allowance of Claims 27-32 and the Examiner's indication that Claims 4-12 and 17-25 would be allowable if rewritten in independent form.

Section 112 Rejections

The Examiner rejects Claim 2 under 35 U.S.C. § 112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant amends Claims 1 and 2 to address the Examiner's concerns.

Section 102 Rejections

The Examiner rejects Claims 1-3, 13-16, 26, and 33 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,304,135 issued to Muza ("Muza"). As amended, Claim 1 recites:

A method for storing a result of a tuning process, comprising:

- a) generating a first characteristic signal;
- b) generating a second characteristic signal in response to a current signal;
- c) determining an adjustment to the current signal based at least in part upon the first and second characteristic signals; and
- d) storing, in a memory, a digital value representing the adjustment.

Muza fails to disclose, expressly or inherently, every element of Claim 1. For example, *Muza* fails to disclose "storing, in a memory, a digital value representing the adjustment." In rejecting Claim 1, the Examiner addresses this element by stating that "Fig. 7 [of *Muza*] shows the digital signal outputted from the comparator of Fig. 5 and/or Fig. 7 is provided to or stored onto the digital elements 72/74[.]" *Office Action*, p. 3. Applicant respectfully notes that *Muza* indicates merely that "digital circuitry 72 comprises algorithm 74 being adapted to control switches SWA, SWB, SWC, SWI, SW_{MAX} of FIG. 5, opening or closing them in an iterative fashion until the desired C_{ideal} is achieved." Col. 5, line 50 - col. 6, line 3. *Muza* does not disclose any form of "memory," nor any "storing [of] . . . a digital value." Thus, *Muza* fails to disclose "storing, in a memory, a digital value representing the adjustment" as recited by Claim 1.

In fact, not only does *Muza* not disclose any form of memory, *Muza* specifically teaches away from the inclusion of a memory in digital circuitry 72, emphasizing the minimal number of components included in the device. Specifically, *Muza* notes that:

[T]he circuits of the present invention require very little semiconductor area, compared to other tuning schemes which require large cells. Very little additional circuitry is required with most of the circuits already existing in a typical G_m /C filter. For example, the circuit 30 of FIG. 3, the tuning circuit 52 comprising a variable current source block, and the algorithm 74 in the digital circuitry 72 are the only additional components of the present invention.

Col. 7, ll. 37-44, emphasis added.

Thus, *Muza* fails to disclose "storing, in a memory, a digital value representing the adjustment" as recited by Claim 1.

As a result, Muza fails to disclose, expressly or inherently, every element of Claim 1. Claim 1 is thus allowable for at least these reasons. Applicants respectfully request reconsideration and allowance of Claim 1 and its dependents.

Although of differing scope from Claim 1, Claims 14 and 33 include elements that, for reasons substantially similar to those described above with respect to Claim 1, are not recited, either expressly or inherently, by *Musa*. Claims 14 and 33 are thus allowable for at least these reasons. Applicant respectfully requests reconsideration and allowance of Claims 14 and 33, and their respective dependents.

Conclusions

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicant stands ready to conduct such a conference at the convenience of the Examiner.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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